

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

CR- 07-000008-001

October 9, 2007
11:15 a.m.

UNITED STATES OF AMERICA -v- JEFFREY H. BORJA

PRESENT: HON. ALEX R. MUNSON, Chief Judge Presiding
SANAE SHMULL, Court Reporter
LYNN LEMIEUX, Courtroom Deputy
CRAIG MOORE, Assistant U. S. Attorney
JOSEPH CAMACHO, Counsel for Defendant
JEFFREY BORJA, Defendant

PROCEEDING: SENTENCING

Defendant was present with his counsel, Attorney Joseph Camacho. Government by Craig Moore, AUSA. Also present was U.S. Probation Officer, Melinda Brunson.

No objection by the government of the presentence report. Counsel for defendant had no objections.

Court adopted the presentence investigation report and instructed the Clerk to file the report, under seal, and that the report be made available if the judgment is appealed. The probation officer's recommendation shall also be placed under seal. No objection by the parties.

Government moved for a sentence of six months imprisonment and the maximum amount of supervised release of five years. Defense moved for a sentence of time served (four months).

Defendant made his allocution.

SENTENCE: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant **JEFFREY H. BORJA** is hereby sentenced to **5 months** imprisonment (with credit for time served). Upon release from imprisonment, the defendant is ordered to serve a term of supervised release of four years which will include the following conditions:

1. The defendant shall not commit another federal, state, or local crime;
2. The defendant shall not unlawfully possess a controlled substance and shall refrain from

any unlawful use of a controlled substance. The shall submit to up to eight drug tests a month for use of a controlled substance at the direction of the U.S. Probation Office;

3. The defendant shall submit to the collection of a DNA sample at the direction of the U.S. Probation Office;

4. The defendant shall comply with the standard conditions of supervision as adopted by this court;

5. The defendant shall be prohibited from possessing a firearm or other dangerous weapon as defined by federal, state, or local law, nor shall he have such weapons at his residence;

6. The defendant shall refrain from the use of all alcoholic beverages;

7. The defendant shall participate in a program approved by the U.S. Probation Office for substance abuse, which program may include testing to determine whether the defendant has reverted to the use of drugs or alcohol. The defendant shall also make co-payment for the program at a rate to be determined by the U.S. Probation Office;

8. The defendant shall participate in an anger management treatment program as approved by the Bureau of Prisons. The defendant shall also make co-payment for the program at a rate to be determined by the U.S. Probation Office; and

9. The defendant shall perform 100 hours of community service under the direction of the U.S. Probation Office.

All fines were waived as the defendant does not have the ability to pay a fine.

The defendant was ordered to pay a special assessment fee of \$100.00.

No objection to the sentence by the attorneys. Defendant was advised that he had previously waived his right to appeal the sentence in this case but that if he or his attorney find any other reason in which to appeal that he had ten days in which to do so. Further, the defendant was advised of his right to an attorney for appeal and that the Court will appoint an attorney if he could not afford one.

Defendant was remanded into the custody of the U.S. Marshal.

Adj. 11:35 a.m.

/s/ Lynn Lemieux, Courtroom Deputy